

United States Court of Appeals
For the Eighth Circuit

No. 12-1105

Aparicio Lopez-Matul

Petitioner

v.

Eric H. Holder, Jr.

Respondent

Petition for Review of an Order of the
Board of Immigration Appeals

Submitted: August 10, 2012

Filed: October 4, 2012

[Unpublished]

Before MURPHY, ARNOLD, and SMITH, Circuit Judges.

PER CURIAM.

Guatemalan citizen Aparicio Lopez-Matul petitions for review of an order of the Board of Immigration Appeals (BIA), which upheld an immigration judge's denial of withholding of removal.

To obtain withholding of removal, Lopez-Matul was required to establish that his life or freedom would be threatened in Guatemala because of his race, religion, nationality, membership in a particular social group, or political opinion. See 8 U.S.C. § 1231(b)(3)(A). Lopez-Matul asserted that he faced such persecution in Guatemala because of his membership in a particular social group, which he describes as Guatemalan repatriates who have lived and worked in the United States for many years and are perceived as wealthy. Upon careful review, we agree with the BIA that the group Lopez-Matul describes does not qualify as a “particular social group” for purposes of withholding of removal. See Matul-Hernandez v. Holder, 685 F.3d 707, 712-13 (8th Cir. 2012) (“the group ‘Guatemalans returning from the United States who are perceived as wealthy’ is not a particular social group” within meaning of immigration laws; reasoning that “there was little evidence that the purported group would be perceived as a determinable group by society or subject to a higher incidence of crime than the rest of the population”). Accordingly, we deny the petition for review. See 8th Cir. R. 47B.
